

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | 8:10-cr-00394-LSC-TDT |
| |) | |
| BYRON SAUL and |) | ORDER |
| ANGELA WHITE, |) | |
| |) | |
| Defendants. |) | |

This matter is before the court on the Motion to Continue Trial (#39) filed by defendant, Angela White, due to defense counsel's scheduling conflict. The other parties do not object to a continuance. For good cause shown,

IT IS ORDERED that the motion to continue trial (#39) is granted, as follows:

1. The jury trial now set for December 14, 2010 is continued to **January 25, 2011**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **December 14, 2010 and January 25, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. Angela White shall file an affidavit or declaration regarding speedy trial, in compliance with NECrimR 12.1(a), as soon as is practicable.

DATED November 23, 2010.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge